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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,480	08/23/2001	Kiyoshi Miyake	018656-242	8425

7590

02/24/2005

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EXAMINER

LETT, THOMAS J

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/934,480	MIYAKE, KIYOSHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thomas J. Lett	2626	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "printing portion" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
2. The drawings are objected to because the arrow that indicates "to engine" should be changed to read "to engine control unit" in both Fig. 2 and Fig. 7.
3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 1-3, and 6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Kutsuwada (USPN 6,347,203 B1).

With respect to claim 1, Kutsuwada discloses an image forming apparatus (image output unit (printer) 300, col. 2, line 28) comprising:

a printing portion (printer 300) for printing based on received print data; and  
a plurality of controllers (copy controller 2 in case of a copy job, FAX controller 3 in case of a facsimile job, and a PDL controller 4 in case of a PDL print job, col. 7, lines 56-60) for respectively receiving a print job, and generating image data by image development of the received print job, each controller requesting the printing portion to start printing after complete image development of a received print job (the apparatus waits for a job (copy, FAX, PDL print, etc.) start request to arrive at step S301, col. 7, lines 56-60).

With respect to claim 2, Kutsuwada discloses a job control portion for receiving and storing the printing request (job queue in a RAM, not shown), and instructing the

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printing portion to start in sequence that the job control portion receives the printing request (jobs are searched sequentially to perform printing, col. 8, lines 3-7).

With respect to claim 3, Kutsuwada discloses the job control portion informs a user who sends a print job of printing information (an arrangement may be adopted where the job that has been suspended and the queued state thereof are displayed on the control panel to notify the operator, col. 10, lines 61-65).

With respect to claim 6, Kutsuwada discloses a selector (scheduling priority of the jobs designated by the user at the control panel, col. 5, lines 5-8) for selecting a way of requesting the printing portion to start printing between after complete image development of a received print job and after complete image development of one page of a received print job (schedule processing on a per-page basis is possible, col. 8, lines 46-49).

With respect to claim 7, Kutsuwada discloses a control method for controlling an image forming system having a plurality of controllers which generate print data by image development of received print job, and transmit the generated print data to a printing portion, the control method comprising the steps of:

each controller (copy controller 2 in case of a copy job, FAX controller 3 in case of a facsimile job, and a PDL controller 4 in case of a PDL print job, col. 7, lines 56-60) issuing a print request to the printing portion (start request to arrive at step S301, col. 7, lines 56-60) after complete development of a received print job (the apparatus waits for a job (copy, FAX, PDL print, etc.) start request to arrive at step S301, col. 7, lines 56-60);

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storing each print request sequentially (job queue in a RAM, not shown, col. 7, line 65); and

having the printing portion (printer 300) print in the stored print request sequence (jobs are searched sequentially to perform printing, col. 8, lines 3-7).

With respect to claim 8, Kutsuwada discloses an image data processing method comprising the steps of:

receiving a print job (job management unit 1 receives a print job, col. 7, line 56); developing the print job and generating print data (image processing that has been set at the control panel is executed, col. 6, lines 5-8); and

requesting a printing portion to start printing (start request to arrive at step S301, col. 7, lines 56-60) after complete image development of the received print job.

Claim 9, a program product claim, is rejected for the same reasoning as that of claim 8.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kutsuwada (USPN 6,347,203 B1) in view of Machida (USPGP 20040153530 A1).

With respect to claim 4, Kutsuwada does not disclose expressly that the printing

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information is a time to start printing. Machida discloses, in FIG. 25, log information of the printer on the network shown in FIG. 1. The log information includes printing start time, printing end time. Kutsuwada and Machida are analogous art because they are from the similar problem solving area of image processing status. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the log feature of Machida to the queue of Kutsuwada in order to obtain a time indicator to start printing. The motivation for doing so would be to begin printing after a certain event.

With respect to claim 5, Kutsuwada does not disclose expressly that the printing information is a time to finish printing. Machida discloses, in FIG. 25, log information of the printer on the network shown in FIG. 1. The log information includes printing end time. Kutsuwada and Machida are analogous art because they are from the similar problem solving area of image processing status. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the log feature of Machida to the queue of Kutsuwada in order to obtain a time indicator to start printing. The motivation for doing so would be to begin printing after a certain event.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 703-305-8733. The examiner can normally be reached on 7-3:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC 20231

**or Faxed to:**

(703) 872-9314 (for Technology Center 2600 only).

**Hand-delivered** responses should be brought to:


Crystal Park II

2121 Crystal Drive

Arlington, VA

Sixth Floor (Receptionist).

TJL



**KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER**